

HB2813



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB2813

by Rep. Patricia R. Bellock

SYNOPSIS AS INTRODUCED:

New Act

Creates the Whistleblower Reward Program Act. Provides that the Department of Revenue is authorized to pay awards as it deems necessary for detecting underpayments of any tax administered by the Department.

LRB099 06091 HLH 26146 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning revenue.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Whistleblower Reward Program Act.

6 Section 5. Definitions. As used in this Act:

7 "Department" means the Department of Revenue.

8 "Illinois Independent Tax Tribunal" means the Illinois
9 Independent Tax Tribunal established under the Illinois
10 Independent Tax Tribunal Act of 2012.

11 Section 10. Awards to whistleblowers.

12 (a) The Department is authorized to pay such sums as it
13 deems necessary for detecting underpayments of any tax
14 administered by the Department in cases where such expenses are
15 not otherwise provided for by law. Those amounts shall be paid
16 from the proceeds of amounts collected by reason of the
17 information provided, and any amount so collected shall be
18 available for such payments.

19 (b) If a State's Attorney, the Department, the Illinois
20 Independent Tax Tribunal, or the Attorney General proceeds with
21 any administrative or judicial action based on information
22 brought to that entity's attention by an individual under

1 subsection (a), then the Department may award that individual
2 not more than 30% of the collected proceeds (including
3 penalties, interest, additions to tax, and additional amounts)
4 resulting from the action (including any related actions) or
5 from any settlement in response to such action. The
6 determination of the amount of such award shall depend upon the
7 extent to which the individual substantially contributed to
8 such action.

9 (c) If the action described in subsection (b) is one which
10 the Department determines to be based principally on
11 disclosures of specific allegations (other than information
12 provided by the individual described in subsection (a))
13 resulting from a judicial or administrative hearing, from a
14 governmental report, hearing, audit, or investigation, or from
15 the news media, the Department may award such sums as it
16 considers appropriate, but in no case more than 10% of the
17 collected proceeds (including penalties, interest, additions
18 to tax, and additional amounts) resulting from the action
19 (including any related actions) or from any settlement in
20 response to such action, taking into account the significance
21 of the individual's information and the role of such individual
22 and any legal representative of such individual in contributing
23 to such action.

24 (d) If the Department determines that the claim for an
25 award this Section is brought by an individual who planned and
26 initiated the actions that led to the underpayment of tax, then

1 the Department may appropriately reduce such award. If such
2 individual is convicted of criminal conduct arising from the
3 role described in this subsection, the Department shall deny
4 any award.

5 (e) Any individual described in this Section may be
6 represented by counsel.

7 Section 15. Submission under penalty of perjury. No award
8 may be made under this Act based on information submitted to
9 the Secretary unless such information is submitted under
10 penalty of perjury.